

GREENBERG TRAURIG, LLP

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7 CUPS OF TEA, CO.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CAYLYN GARLAND and CIERRA
SERRANO individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

7 CUPS OF TEA, CO. a Delaware corporation,

Defendant.

CASE NO. 5:23-cv-04492-PCP

Assigned to Hon. P. Casey Pitts

**STIPULATED BRIEFING SCHEDULE RE:
DEFENDANT 7 CUPS OF TEA, CO.'S
MOTION TO DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT [DKT. NO. 23]
AND CONTINUING THE CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

*[Declaration of Rebekah S. Guyon; Proposed
Order filed concurrently]*

5:23-cv-04492-PCP

STIPULATED BRIEFING SCHEDULE FOR MOTION TO DISMISS THE FIRST AMENDED
COMPLAINT

Pursuant to Local Rule 6-1(b), Plaintiffs Caylyn Garland and Cierra Serrano (“Plaintiffs”) and Defendant 7 Cups of Tea, Co. (“Defendant” or “7 Cups”) hereby stipulate to a briefing and hearing schedule for Defendant’s anticipated Motion to Dismiss Plaintiffs’ First Amended Complaint (the “Motion”), and to continue the Case Management Conference and related deadlines.

The parties, by and through their respective counsel, stipulate and agree as follows:

WHEREAS, Defendant previously filed its Motion to Dismiss the Complaint (Dkt. No. 16) on November 11, 2023, and this Court set the hearing on that motion for February 29, 2024 (Dkt. No. 19);

WHEREAS, the parties previously stipulated to a briefing schedule on Defendant’s motion to dismiss providing that Plaintiffs’ opposition papers to the motion were due by January 4, 2024, and Defendant’s reply papers were due by January 25, 2024 (Dkt. No. 21);

WHEREAS, the parties also stipulated to continue the Case Management Conference to the same date set for the hearing on the motion, February 29, 2024, and to continue all deadlines related to the Case Management Conference accordingly;

WHEREAS, the Court granted the parties’ stipulation (Dkt. No. 22);

WHEREAS, on December 4, 2023, Plaintiffs filed the First Amended Complaint (“FAC”) (Dkt. No. 23), and Defendant’s anticipated Motion to the FAC is due December 18, 2023 pursuant to Federal Rule of Civil Procedure 15(a)(3);

WHEREAS, counsel for the parties met and conferred regarding a briefing schedule for Defendant’s anticipated Motion directed towards the FAC on December 6, 2023 that allows additional time for Plaintiffs and Defendant to file their Motion, opposition, and reply briefs given the substantive changes made to Plaintiffs’ amended pleading and to account for the intervening holiday schedule and planned travel for counsel;

WHEREAS, counsel for the parties also met and conferred to continue the hearing on the Motion and Case Management Conference to the same date, March 24, 2023, and, further, to continue all deadlines related to the Case Management Conference including the Joint Case Management Statement and ADR Certification accordingly;

WHEREAS, counsel for the parties have agreed to the following stipulated schedule for the Motion and the opposition and reply briefs thereto; and have agreed to continue the Case Management

Conference and all related deadlines, including the date to submit an ADR Certification and Joint Case Management Statement, as follows:

Motion deadlines	
Motion	January 10, 2024
Opposition	February 7, 2024
Reply	February 28, 2024
Case Management Conference deadlines	
ADR Certification	February 22, 2024
Joint Case Management Statement	February 29, 2024
Motion Hearing And Case Management Conference	March 14, 2024

WHEREAS, the stipulated briefing schedule will not impact any other dates set by the Court.

NOW THEREFORE, PLAINTIFFS AND DEFENDANT HEREBY STIPULATE that the remaining briefing schedule on the Motion and the date on which the Case Management Conference shall be heard is as follows:

1. Deadline for Defendant to file Motion papers: January 10, 2024;
2. Deadline for Plaintiffs to file opposing papers: February 7, 2024;
3. Deadline for Defendant to file reply papers: February 22, 2024;
4. Deadline to submit ADR Certification: February 8, 2024;
5. Deadline to submit Joint Case Management Statement: February 29, 2024;
6. Motion Hearing and Case Management Conference date: March 14, 2024.

IT IS SO STIPULATED.

DATED: December 12, 2023

GREENBERG TRAURIG, LLP

By /s/ Rebekah S. Guyon
Rebekah S. Guyon

Attorneys for Defendant

7 CUPS OF TEA, CO.

DATED: December 12, 2023

LAW OFFICES OF RONALD A. MARRON

By /s/ Alexis M. Wood

Ronald A. Marron

Kas L. Gallucci

Alexis M. Wood

Attorneys for Plaintiffs

CAYLYN GARLAND and CIERRA SERRANO

ATTORNEY ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I, Rebekah S. Guyon, hereby attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing.

DATED: December 12, 2023

GREENBERG TRAURIG, LLP

By /s/ Rebekah S. Guyon

Rebekah S. Guyon